

The Georgia State Board of Pharmacy met on August 18, 2004 at the Professional Licensing Boards Office, 237 Coliseum Drive, Macon, GA.

**Members Present:**

- Mickey Tatum, President
- Eddie Madden, Vice-President
- Fred Barber
- Judy Gardner
- Pat McPherson

**Members Absent:**

- Charles Palmer
- Bill Prather
- Robbie Dial

**Staff Present:**

- Bill Atkins, Director, Georgia Drugs and Narcotics Agency
- Janet Wray, Board Attorney
- Sylvia L. Bond, Executive Director, Georgia Board of Pharmacy
- Ylice Crews, Administrative Assistant

**Visitors Present:**

- Brian Gulley
- J. Wainlee (Supervisor of Brian Gulley)

**WEDNESDAY, AUGUST 18, 2004**

Mr. Tatum established that a quorum was present, and called the meeting to order at 10:05 a.m.

Mr. Barber moved, Mr. McPherson seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §§43-1-19(h)(2) and 43-1-2(k) to review applications, deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board Members Mr. Madden, Mr. Tatum, and Ms. Gardner.

At the conclusion of the EXECUTIVE SESSION, the Board declared an **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business.

**APPOINTMENT (S)**

- The Board met with Brian Gulley and his supervisor, Mr. J. Wainlee, to discuss possible reinstatement.
- The Board met via conference call with Dean George Francisco (UGA) and Dean David Hawkins (Mercer) to discuss the upcoming Georgia Practical Exam to be held in September.

**Brian Gulley, RPh:** Mr. Madden made a motion to deny Mr. Gulley's request for reinstatement of license. Mr. Barber seconded the motion and it carried unanimously.

**The Board made the following votes regarding the submitted applications and requests:**

- **Letters from S.S., M.H., K.T.B., and G.M.:** Mr. Madden made a motion to approve the pharmacist's request to meet with the Board to discuss possible reinstatement of their licenses. Mrs. Gardner seconded the motion and it carried unanimously.
- **D.F.:** Mr. Madden moved to approve D.F.'s application by examination. Mr. McPherson seconded the motion and it carried unanimously.
- **J.L.:** Mr. Madden moved to approve J.L.'s application by examination. Mr. Barber seconded the motion and it carried unanimously.
- **A.P.:** The Board reviewed the applicant's request to sit for the Georgia Practical Examination in September, even though she has not completed the FPGEC requirements. Mr. Madden moved to deny the request. Mrs. Gardner seconded the motion and it carried unanimously.

**Letter from Matthew Higgins:** Mr. Madden made a motion to approve Mr. Higgins' request to meet with the Board to discuss possible reinstatement. Mr. Barber seconded the motion and it carried unanimously.

**Reinstatement Applications for (1) David J. Shubeck; (2) John A. Marzullo; and (3) Bryan Goins:**

**David Shubeck:** Mr. Madden made a motion to schedule a meeting with Mr. Shubeck to review his application for reinstatement. Mr. McPherson seconded the motion and it carried unanimously.

**John Marzullo:** Mr. Madden made a motion to deny Mr. Marzullo's request for reinstatement until further information can be received. Mr. Barber seconded the motion and it carried unanimously.

**Bryan Goins:** Mr. Madden made a motion to schedule a meeting with Mr. Goins to review his application for reinstatement. Mrs. Gardner seconded the motion and it carried unanimously.

**Letter from Sally Haislip:** Mr. Madden made a motion to deny Ms. Haislip's request to lift her Consent Order. Mr. Barber seconded the motion and it carried unanimously.

**Letter from Charles L. Posey:** Mr. Madden made a motion to amend his Consent Order lifting his pharmacist-in-charge restriction. However, the Board will require Mr. Posey to inform them of all employment positions as a pharmacist-in-charge and pharmacist. Mrs. Gardner seconded the motion and it carried unanimously.

**Newly Licensed Pharmacists/Pharmacy Interns:** Mr. Madden made a motion to ratify all newly licensed pharmacists/pharmacy interns. Mr. McPherson seconded the motion and it carried unanimously. (Attachment 1)

**Listing of Administratively Approved Reinstatement Applications:** Mr. Madden made a motion to approve the reinstatement applications administratively approved by the Board staff. Mr. Barber seconded the motion and it carried unanimously. (Attachment 2)

**Listing of Administratively Approved Nuclear Pharmacist Applications:** Mr. Barber made a motion to approve the nuclear pharmacist application administratively approved by the Board staff. Mr. McPherson seconded the motion and it carried unanimously. (Attachment 2)

**Draft – July 2004 Board Meeting Minutes:** Mr. McPherson made a motion to approve the minutes as amended. Mrs. Gardner seconded the motion and it carried unanimously.

**Janet Wray, Attorney General's Office:**

- A status report on current cases was reviewed.

- Mrs. Wray presented the following consent orders for approval:
  - Charles Moye
  - C.S.
  - Ronald Varner
  - Kurt Boesger

**The following votes were made in reference to Mrs. Wray's report:**

- **Charles Moye:** This case was placed on hold until the September Board Meeting.
- **C.S.:** Mr. McPherson made a motion to accept the Private Consent Order as signed by C.S. Mr. Barber seconded the motion and it carried unanimously.
- **Ronald Varner:** Mr. Madden made a motion to accept the Public Consent Order as signed by Mr. Varner. Mrs. Gardner seconded the motion and it carried unanimously.
- **Kurt Boesger:** Mrs. Gardner made a motion to accept the Public Consent Order as signed by Mr. Boesger. Mr. McPherson seconded the motion and it carried unanimously.

**Report from Bill Atkins, Director of Georgia Drugs and Narcotics:**

- Distributed a newspaper article where it was reported that state of Illinois is buying drugs from Canada.
- Requested that the Board consider running a criminal history on all pharmacy interns as part of the application process.

**Eddie Madden, Cognizant Board member reported on the following cases**

- GDNA Cases #A04-39, #A04-41, #A04-44, and #A04-45.

The following votes were made in reference to the Cognizant Member's report:

**GDNA Case #A04-39:** The cognizant member recommended accepting the signed Private Interim Consent Order. Mr. Barber made a motion to approve the recommendation. Mr. McPherson seconded the motion and it carried unanimously.

**Covington, Jesse E, RPh013731:** The cognizant member recommended accepting the signed Public Interim Consent Order. Mr. Barber made a motion to approve the recommendation. Mr. McPherson seconded the motion and it carried unanimously.

**GDNA Case #A04-44:** The cognizant member recommended that a \$1,000 fine be imposed on the pharmacist with a Public Consent Order to include probation for theft of the drug, Ambien. Mr. Barber made a motion to approve the recommendation. Mr. McPherson seconded the motion and it carried unanimously.

**GDNA Case #A04-45:** The cognizant member recommended rescinding the pharmacist PIC permit. In addition, once a new PIC is in place, she/he will be required to submit quarterly statements referencing the operation of the pharmacy. Mr. McPherson made a motion to approve the recommendation. Mrs. Gardner seconded the motion and it carried unanimously.

**Sandy Bond, Executive Director:**

- **Review of USP 797 and JCAHO:** Mr. Tatum appointed (1) Eddie Madden, (2) Judy Gardner and (3) Pat McPherson to a committee to review USP797 and how it relates to our compounding rule.
- **PHRE003527:** The full Board reviewed all information pertaining to this complaint. Mrs. Gardner made a motion to dismiss the case since evidence does not exist to support this complaint. Mr. Barber seconded the motion and it carried unanimously.

**Conference Call – Meeting with Pharmacy School Officials to discuss the Georgia Practical Exam:**

- It was determined that the Pharmacy Board would prepare and approve the questions as it relates to the Errors and Omissions portion of the test. In addition, only the Board Members will conduct the candidate interviews.
- Mrs. Gardner will prepare two compounding prescriptions to be used during the exam. Once these have been completed, she will forward hardcopies to Dr. Femi Ajayi, Director of Exams. Upon receipt of these, the Board requested that Dr. Ajayi contact Dean Francisco or Deborah Strong to confirm the availability of supplies needed to complete this part of the exam.
- Training for the proctors will take place on Tuesday afternoon (around 3:00 p.m.) to review the following: (1) what is accepted? (2) what is not? and (3) what constitutes cheating?
- In preparing for the Exam via a PowerPoint Presentation, the following items will be needed:
  - Copy of Patient Profile (one for each student)
  - Copy of Bank Prescription Pad
  - Copy of Label
  - Two scripts for compounding
  - Will need to prepare and approve 30 questions

**Rule Revision – ref: E-Prescribing:**

This is still being reviewed and drafted by Georgia Drugs and Narcotics and the Attorney General's office.

There being no further business to be discussed, the meeting was adjourned at 4:40 p.m.

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**Mickey Tatum, President**

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**Mollie L. Fleeman, Division Director  
Professional Licensing Boards Division**

**Minutes Prepared By: Ylice Crews, Administrative Assistant  
Reviewed/Edited By: Sylvia L. Bond, Executive Director**